

ENTERED

November 30, 2023

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION**

THE GENERAL LAND OFFICE OF §
THE STATE OF TEXAS, and §
GEORGE P. BUSH, in his official §
Capacity as Commissioner of the §
Texas General Land Office, §

Plaintiffs, §

v. §

JOSEPH R. BIDEN, in his official §
capacity as President of the United §
States of America; UNITED STATES §
DEPARTMENT OF HOMELAND §
SECURITY; and ALEJANDRO §
MAYORKAS, in his official capacity §
as Secretary of the United States §
Department of Homeland Security, §

Defendants. §

Civil Action No. 7:21-CV-00272

THE STATE OF MISSOURI; and §
THE STATE OF TEXAS, §

Plaintiffs, §

v. §

JOSEPH R. BIDEN, JR. in his official §
capacity as President of the United §
States of America; THE UNITED §
STATES OF AMERICA; §
ALEJANDRO N. MAYORKAS, in his §
official capacity as Secretary of the §
United States Department of §
Homeland Security UNITED STATES §
DEPARTMENT OF HOMELAND §
SECURITY; TROY A. MILLER, in his §
official capacity as the Acting §

Civil Action No. 7:21-CV-00420

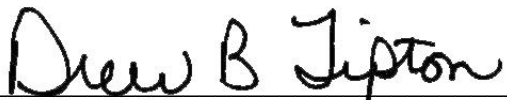
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| Commissioner of the United States | § |
| Border Protection; and UNITED | § |
| STATES CUSTOMS AND BORDER | § |
| PROTECTION, | § |
| United States Department of | § |
| Homeland Security; UNITED | § |
| STATES DEPARTMENT OF | § |
| HOMELAND SECURITY; TROY A. | § |
| MILLER, in his official capacity as the | § |
| Acting Commissioner of the United | § |
| States Border Protection; and | § |
| UNITED STATES CUSTOMS AND | § |
| BORDER PROTECTION, | § |
| Defendants. | § |

ORDER

The Court conducted a status conference with the Parties on November 29, 2023. As a result, the Court finds that the Parties’ previous briefing and exhibits, including any supplemental briefing or extra-record evidence including affidavits or declarations, on Plaintiffs’ motion for preliminary injunction are incorporated and consolidated with this Court’s consideration of the merits pursuant to Federal Rule of Civil Procedure 65(a)(2). Accordingly, the Court will construe the pleadings on the preliminary injunction as cross-motions for summary judgment. The evidentiary materials attached to the Parties’ previous briefing, and any supplemental exhibits, affidavits, or declarations they may submit, are admitted as authentic and without need of a sponsoring witness and are presumptively admitted as part of the summary judgment record. Fed. R. Civ. P. 65(a)(2). Objections to proceeding in this manner, if any, are to be filed no later than December 6, 2023.

It is SO ORDERED.

Signed on November 30, 2023.



DREW B. TIPTON
UNITED STATES DISTRICT JUDGE